

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

LIBERTY MUTUAL INSURANCE  
COMPANY, et al.,

Plaintiffs,

v.

ROBERT H. HURLBUT, et al.,

Defendants.


Civil Action No. 08CV 7192

NOTICE OF MOTION TO  
ADMIT MARK F. HORNING  
PRO HAC VICE

PLEASE TAKE NOTICE that, upon the annexed affidavit of Evan Glassman in support of this motion and the Certificates of Good Standing annexed thereto, Plaintiffs will move this Court, at the United States Courthouse for the Southern District of New York, pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, for an Order allowing the admission of Mark F. Horning, a member of the firm of Steptoe & Johnson LLP, as attorney *pro hac vice* for Plaintiffs in this matter.

Dated: New York, New York  
August 12, 2008

STEPTOE & JOHNSON LLP

By:   
Evan Glassman  
750 Seventh Avenue, Suite 1900  
New York, NY 10019  
(212) 506-3900

*Attorneys for Plaintiffs*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**LIBERTY MUTUAL INSURANCE  
COMPANY, et al.,**

**Plaintiffs,**

**v.**

**ROBERT H. HURLBUT, et al.,**

**Defendants.**

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**Civil Action No. 08 CV 792**

**AFFIDAVIT IN SUPPORT OF  
MOTION TO ADMIT  
MARK F. HORNING  
PRO HAC VICE**

EVAN GLASSMAN states as follows:

1. I am a member of the Bar of this Court and of the firm of Steptoe & Johnson LLP.

I make this affidavit in support of Plaintiffs' motion for the admission of Mark F. Horning to practice *pro hac vice* as counsel for Plaintiffs in the above-captioned case.

2. Mr. Horning is a member of the firm of Steptoe & Johnson LLP, resident in our District of Columbia office. Mr. Horning is a member in good standing of the Bar of the District of Columbia. (A certified copy of Mr. Horning's certificate of good standing in the Bar of the District of Columbia is annexed hereto as Exhibit A.) Mr. Horning has advised me that he is familiar with the Federal Rules of Civil Procedure and with the Local Rules of this Court.


3. In addition, I have worked with Mr. Horning, and I can personally attest that he is competent and of good character.

4. There are no pending disciplinary proceedings against Mr. Horning in any State or Federal Court.

5. Wherefore, I respectfully request that Mark F. Horning, Esq., be admitted to practice *pro hac vice* as counsel for Plaintiffs in the above-captioned case.

6. Pursuant to 28 U.S.C.A. §1746, I declare under penalty of perjury that the foregoing is true and correct.

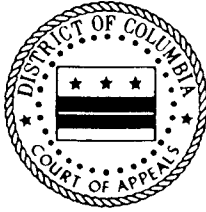
Dated: New York, New York  
August 12, 2008



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Evan Glassman  
STEPTOE & JOHNSON LLP  
750 Seventh Avenue  
New York, New York 10019  
(212) 506-3900

*Attorney for Plaintiffs*



District of Columbia Court of Appeals  
Committee on Admissions  
500 Indiana Avenue, N.W. — Room 4200  
Washington, D. C. 20001  
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

MARK F. HORNING

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was on the 10<sup>TH</sup> day of JANUARY, 1975  
duly qualified and admitted as an attorney and counselor and  
entitled to practice before this Court and is, on the date  
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have  
hereunto subscribed my name  
and affixed the seal of this  
Court at the City of  
Washington, D.C., on July  
25, 2008.

GARLAND PINKSTON, JR., CLERK

By: M. Charles  
Deputy Clerk

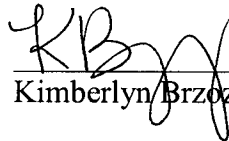
**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing and the accompanying Declaration of Evan Glassman was served on August 13, 2008 via electronic mail on the following counsel of record:

Mark D. Rosenzweig, Assistant Attorney General  
Litigation Bureau, NYC  
Office of the Attorney General, State of New York  
120 Broadway  
New York City, NY 10271

Richard Brewster, Assistant Attorney General  
Litigation Bureau, NYC  
Office of the Attorney General, State of New York  
120 Broadway  
New York City, NY 10271

*Counsel for Defendants*

A handwritten signature in black ink, appearing to read 'KB', is written over a horizontal line.

Kimberlyn Brzozowski

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Civil Action No. 08CV7192

[PROPOSED] ORDER FOR  
ADMISSION PRO HAC VICE

The motion for admission *pro hac vice* in the above-captioned matter is granted. The admitted attorney, Mark F. Horning, is permitted to argue or try this particular case in whole or in part as counsel or advocate.

An attorney admitted to practice *pro hac vice* is required to pay a \$25.00 per attorney admission fee and present this Order to the intake deputy clerk in the Clerk's Office. When paying by mail, return a copy of this Order to the Clerk's Office with the required fee.

This order confirms your appearance as counsel in this case, and it will be entered on the Court's docket. A notation of your admission *pro hac vice* for the above-listed case will be made on the roll of attorneys.

The attorney admitted *pro hac vice* must serve a copy of this Order on all other counsel in this case.

Dated: New York, New York  
\_\_\_\_\_, 2008

S O O R D E R E D:

\_\_\_\_\_  
U.S.D.J